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LTK:MB/S/ecl  
05/27/04 C61

PATENT APPLICATION  
DOCKET NO.: 2762.2006-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

  
Applicant

Kirk Johnson

Application No.: 09/824,527 Group Art Unit: 2152

Filed: April 2, 2001 Examiner: Not assigned

Confirmation No.: 1065

Title: Method and Apparatus for a Minimalist Approach to Implementing Server Selection

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

May 24, 2004 Elaine Leahy

Date

Signature

Elaine Leahy

Typed or printed name of person signing certificate

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

MAY 27 2004

Sir:

Technology Center 2100

This Information Disclosure Statement is submitted:

under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)

under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

under 37 CFR 1.97(c) together with either:

a Statement under 37 CFR 1.97(e), as checked below, or

a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with:

a Statement under 37 CFR 1.97(e), as checked below, and

a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.R.B.  
**BEST AVAILABLE COPY**

Statement Under 37 CFR 1.97(e)

- Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

Copies of the cited references are enclosed.

Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.

Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:

the explanation provided on the attached sheet.

the explanation provided in the Specification.

submission of the enclosed International Search Report.

submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.

the enclosed English language abstract.

Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

U.S. Patent Application No. [ ] by [inventor(s)], filed [ ], Docket No.: [ ]

U.S. Patent Application No. [ ] by [inventor(s)], filed [ ], Docket No.: [ ]

U.S. Patent Application No. [ ] by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

A copy of each above-cited application, including the current claims, is enclosed.

A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B. Solomon  
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Dated: 5/24/04

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ATTORNEY DOCKET NO.

2762.2006-002

APPLICATION NO.

09/394527 - GAU: 2478

FIRST NAMED INVENTOR

Kirk Johnson

FILING DATE

April 2, 2001

EXAMINER

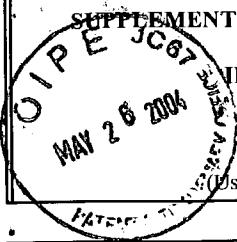
not assigned

CONFIRMATION NO.

1065

GROUP

2152

SUPPLEMENTAL INFORMATION DISCLOSURE  
CITATION  
IN AN APPLICATION

May 19, 2004

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AC	5,870,562	02/09/1999	Butman <i>et al.</i>
	AD	6,035,055	03/07/2000	Wang <i>et al.</i>
	AE	6,041,041	03/21/2000	Ramanathan <i>et al.</i>
	AF	6,081,840	06/27/2000	Zhao
	AG	6,185,598 B1	02/06/2001	Farber <i>et al.</i>
	AH	6,304,913 B1	10/16/2001	Rune
	AI	6,338,092 B1	01/08/2002	Chao <i>et al.</i>
	AJ	6,505,254 B1	01/07/2003	Johnson <i>et al.</i>
	AK	6,581,065 B1	06/17/2003	Rodkin <i>et al.</i>
	AA2	2002/0065938 A1	05/30/2002	Jungck <i>et al.</i>
	AB2	2002/0186694 A1	12/12/2002	Mahajan <i>et al.</i>
	AC2	2003/0041094 A1	02/27/2003	Lara <i>et al.</i>
	AD2			
	AE2			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES	NO
	AL					
	AM					

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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	AS	MAY 27 2004 Technology Center 2100

EXAMINER

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.R.B.

/Benjamin Bruckart/

11/12/2010